

By: 

S. B. No

38

A BILL TO BE ENTITLED

An Act

59th ~~AN ACT~~ amending Sections 2 and 4 of Chapter 23, Acts of the ~~Fifty-Ninth~~ Legislature, Regular Session, which created the Middle Sabine River Navigation District, by adding territory thereto; appointing and providing residence requirements of the Board of Directors of such District; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Section 2 of Chapter 23, Acts of the 59th ~~Fifty-Ninth~~ Legislature, Regular Session, is hereby amended so as to hereafter read as follows:

"Section 2. The Middle Sabine River Navigation District shall include all of the territory lying within the watershed of the Sabine River and its tributary streams lying within the boundaries of the Counties of Gregg, Rusk, Harrison, Panola, Smith, Upshur, Van Zandt and Wood, as the same is made certain by the state contour maps now on file in the office of the Texas Water Rights Commission, to which maps and records reference is here made, and it is hereby found and determined that all of the land included in the District shall be benefited by the exercise of the powers conferred by this Act. It is recognized that this boundary overlaps, in part, an area included within the Sabine River Authority of Texas as created by Chapter 110, ^PPage 193, Acts of the 51st Legislature, 1949, and nothing herein is intended to alter in any manner the rights, duties, privileges, powers and immunities of that agency,"

~~Section 2.~~ ^{59th} Section 4 of said Chapter 23, Acts of the Fifty-Ninth Legislature, Regular Session, is hereby amended so as to hereafter read as follows:

"Section 4. ~~(a)~~ All powers of the District shall be exercised by a Board of Directors (hereinafter called 'Board'), each of whom shall serve for a period of two (2) years except for the directors hereinafter initially appointed. The Board shall consist of sixteen members, two of whom shall be from Gregg County, two from Rusk County, two from Harrison County, two from Panola County, two from Smith County, two from Upshur County, two from Van Zandt County and two from Wood County.

"(b) ~~(a)~~ The initial Board shall consist of the following persons who shall serve until the dates indicated after their names:

	<u>Term Expiration</u>
<u>Gregg County</u>	
Jasper L. Allbright	January 1, 1969
A. G. Morton, Jr.	January 1, 1968
<u>Harrison County</u>	
William L. Gaw	January 1, 1969
Don Harper	January 1, 1968
<u>Panola County</u>	
W. C. Applegate	January 1, 1968
Tom Bankhead	January 1, 1969
<u>Rusk County</u>	
Homer Bryce	January 1, 1969
W. A. Preston	January 1, 1968
<u>Smith County</u>	
George Pirtle	January 1, 1969
F. Lee Lawrence	January 1, 1968

Term ExpirationUpshur County

~~M. V. Gorman, Jr.~~
~~M. V. Gorman, Jr.~~
 John W. Prothro

January 1, 1969
 January 1, 1968

Van Zandt County

E. B. Germany
 Floyd B. Pitts

January 1, 1969
 January 1, 1968

Wood County

Charles L. Still
 A. O. Mallory

January 1, 1968
 January 1, 1969

If any of the aforementioned persons shall die, become incapacitated or otherwise not be qualified to assume their duties under this Act, the Commissioners Court of the county of residence of such person shall designate and appoint his successor who shall serve until his successor shall have been appointed and qualified for office.

"Within not less than ten or more than thirty days prior to the expiration of the term of office of each Director, the Commissioners Court of the county in which such Director whose term is expiring resides shall designate a successor, and each successor so appointed shall serve for a term of two years. All Directors shall hold office until their successors have been designated and have qualified as required by law. Before entering upon the duties of his office, each Director shall:

"(a) Take the constitutional oath of office and the same shall be filed in writing with the Secretary of the Board; and

"(b) Enter into a good and sufficient bond executed by a surety company authorized to do business in Texas as

surety thereon in the sum of One Thousand Dollars (\$1,000), payable to the District, conditioned upon the faithful performance of his duties as Director. The cost of entering into said bond shall be paid by the District. The bonds of the first Board of Directors shall be approved by the County Judge of the county of residence of each of the initial Directors and the bonds of all Directors thereafter elected or appointed shall be approved by the Board of Directors.

"Vacancies occurring^{IV} on the Board from any county shall be filled by appointment by the Commissioners Court of the county of residence of the member whose place on the Board shall have been vacated for any cause. Any person over the age of twenty-one years residing within the District and within the county from which he is appointed and possessing the qualifications of a juror shall be eligible for appointment and to serve as a Director."

Section 3. It is hereby found that notice of intention to introduce this bill has been published at least thirty (30) days and not more than ninety (90) days prior to its introduction in newspapers having general circulation in counties in which said District is situated and in the manner provided by Article XVI, Section 59(d) of the Constitution, that a copy of said notice and of this bill as introduced were delivered to the Governor, and the time, form and manner of giving said notice is hereby approved and ratified. The evidence of the foregoing was exhibited in the Legislature before the passage of this Act.

~~Section~~ 4. The fact that enlargement of the District is needed to permit the District to better fulfill its powers and duties creates an emergency and an imperative public necessity requiring that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said Rule is hereby suspended; and this Act shall take effect and be in force from and after its passage, and it is so enacted.

AFFIDAVIT OF PUBLICATION

THE STATE OF TEXAS

COUNTY OF WOOD

BEFORE ME, the undersigned authority, on this day personally appeared Dan Peacock known to me, who being first duly sworn, deposed and upon his oath said:

1. That he is the Publisher of "The Mineola Monitor",

a newspaper which has been regularly and continuously published in the City of Mineola, Texas, for a period of more than one year prior to the date of the attached printed Notice; that as such officer or employee of said newspaper, he caused said Notice to be published in said newspaper on the 26th day of October, 1966.

2. That the publication made is a true and correct copy of said Notice, a printed copy of which is attached hereto.

EXECUTED this the 27th day of October, 1966.

Dan Peacock

SUBSCRIBED AND SWORN TO BEFORE ME this the 27th day of October, 1966.

C. E. Burden

Notary Public in and for Wood County, Texas

(SEAL)

NOTICE OF INTENT TO
INTRODUCE A BILL IN THE
LEGISLATURE OF THE
STATE OF TEXAS

COUNTIES OF GREGG, RUSK,
HARRISON, PANOLA, SMITH,
VAN ZANDT, WOOD AND UP-
SHUR:

Pursuant to the requirements
of Paragraph (d), Section 59, Ar-
ticle XVI of the Constitution of
the State of Texas, Middle Sa-
bine River Navigation District
hereby gives notice that it in-
tends to request introduction of
a bill in the 60th Legislature of
the State of Texas, the general
purpose, nature and substance of
which is as follows:

To amend Chapter 23, Acts of
the 59th Legislature, Regular Ses-
sion, 1965, creating the Middle Sa-
bine River Navigation District so
as to enlarge the district to in-
clude all of the territory lying
within the watershed of the Sabine
River and its tributary streams
lying within the boundaries of
the Counties of Gregg, Rusk, Har-
rison, Panola, Smith, Van Zandt,
Wood and Upshur Counties, Tex-
as, and to provide for a Board
of Directors with equal represen-
tation from each county within
the district.

MIDDLE SABINE RIVER
NAVIGATION DISTRICT
By Jasper Allbright,
Chairman of the Board

AFFIDAVIT OF PUBLICATION

THE STATE OF TEXAS

COUNTY OF VAN ZANDT

BEFORE ME, the undersigned authority, on this day personally appeared Alf Roberson known to me, who being first duly sworn, deposed and upon his oath said:

1. That he is the Publisher of "The Grand Saline Sun", a newspaper which has been regularly and continuously published in the City of Grand Saline, Texas, for a period of more than one year prior to the date of the attached printed Notice; that as such officer or employee of said newspaper, he caused said Notice to be published in said newspaper on the 27th day of October, 1966.

2. That the publication made is a true and correct copy of said Notice, a printed copy of which is attached hereto.

EXECUTED this the 27 day of October, 1966.

SUBSCRIBED AND SWORN TO BEFORE ME this the 27 day of Nov., 1966.

Herbert K. Clouse
Notary Public in and for Van Zandt
County, Texas

(SEAL)

NOTICE OF INTENT TO INTRODUCE A BILL IN THE LEGISLATURE OF THE STATE OF TEXAS COUNTIES OF GREGG, RUSK, HARRISON, PANOLA, SMITH, VAN ZANDT, WOOD AND UPSHUR:

Pursuant to the requirements of Paragraph (d), Section 59, Article XVI of the Constitution of the State of Texas, Middle Sabine River Navigation District hereby gives notice that it intends to request introduction of a bill in the 60th Legislature of the State of Texas, the general purpose, nature and substance of which is as follows:

To amend Chapter 23, Acts of the 59th Legislature, Regular Session, 1965, creating the Middle Sabine River Navigation District so as to enlarge the district to include all of the territory lying within the watershed of the Sabine River and its tributary streams lying within the boundaries of the Counties of Gregg, Rusk, Harrison, Panola, Smith, Van Zandt, Wood and Upshur Counties, Texas, and to provide for a Board of Directors with equal representation from each county within the district.

MIDDLE SABINE RIVER NAVIGATION DISTRICT

By Jasper Allbright
Chairman of the Board.

AFFIDAVIT OF PUBLICATION

THE STATE OF TEXAS

COUNTY OF

BEFORE ME, the undersigned authority, on this day personally appeared James A. Smith known to me, who being first duly sworn, deposed and upon his oath said:

1. That he is the Publisher of "The Panola Watchman", a newspaper which has been regularly and continuously published in the City of Carthage, Texas, for a period of more than one year prior to the date of the attached printed Notice; that as such officer or employee of said newspaper, he caused said Notice to be published in said newspaper on the 27 day of October, 1966.

2. That the publication made is a true and correct copy of said Notice, a printed copy of which is attached hereto.

EXECUTED this the 27 day of October, 1966.

James A. Smith

SUBSCRIBED AND SWORN TO BEFORE ME this the 27 day of October, 1966.

Ouida J. Bates
Notary Public in and for Panola
County, Texas

(SEAL)

Public Notice

NOTICE OF INTENT TO INTRODUCE A BILL IN THE LEGISLATURE OF THE STATE OF TEXAS
COUNTIES OF GREGG, RUSK, HARRISON, PANOLA, SMITH, VAN ZANDT, WOOD AND UP-
SHUR:

Pursuant to the requirements of Paragraph (d), Section 59, Article XVI of the Constitution of the State of Texas, Middle Sabine River Navigation District hereby gives notice that it intends to request introduction of a bill in the 60th Legislature of the State of Texas, the general purpose, nature and substance of which is as follows:

To amend Chapter 23, Acts of the 59th Legislature, Regular Session, 1965, creating the Middle Sabine River Navigation District so as to enlarge the district to include all of the territory lying within the watershed of the Sabine River and its tributary streams lying within the boundaries of the Counties of Gregg, Rusk, Harrison, Panola, Smith, Van Zandt, Wood and Upshur Counties, Texas, and to provide for a Board of Directors with equal representation from each county within the district.

MIDDLE SABINE RIVER
NAVIGATION DISTRICT
By Jasper Allbright,
Chairman of the Board

AFFIDAVIT OF PUBLICATION

THE STATE OF TEXAS

COUNTY OF Harrison

BEFORE ME, the undersigned authority, on this day personally appeared W. M. Woody known to me, who being first duly sworn, deposed and upon his oath said:

1. That he is the publisher of "The Marshall News Messenger", a newspaper which has been regularly and continuously published in the City of Marshall, Texas, for a period of more than one year prior to the date of the attached printed Notice; that as such officer or employee of said newspaper, he caused said Notice to be published in said newspaper on the 21st day of October, 1966.

2. That the publication made is a true and correct copy of said Notice, a printed copy of which is attached hereto.

EXECUTED this the 22 day of October, 1966.

W. M. Woody

SUBSCRIBED AND SWORN TO BEFORE ME this the 22 day of October, 1966.

Melleyena Jones
Notary Public in and for Harrison
County, Texas

(SEAL)

MELLEYENA JONES

LEGAL NOTICE	<p>NOTICE OF INTENT TO INTRODUCE A BILL IN THE LEGISLATURE OF THE STATE OF TEXAS</p> <p>COUNTIES OF GREGG, RUSK, HARRISON, PANOLA, SMITH, VAN ZANDT, WOOD AND UPSHUR.</p> <p>Pursuant to the requirements of Paragraph (d), Section 59, Article XVI of the Constitution of the State of Texas, the Middle Sabine River Navigation District hereby gives notice that it intends to request introduction of a bill in the 60th Legislature of the State of Texas, the general purpose, nature and substance of which is as follows:</p> <p>To amend Chapter 23, Acts of the 59th Legislature, Regular Session, 1965, creating the Middle Sabine River Navigation District so as to enlarge the district to include all of the territory lying within the watershed of the Sabine River and its tributary streams lying within the boundaries of the Counties of Gregg, Rusk, Harrison, Panola, Smith, Van Zandt, Wood and Upshur Counties, Texas, and to provide for a Board of Directors with equal representation from each county within the district.</p> <p>MIDDLE SABINE RIVER NAVIGATION DISTRICT By: Jasper Albright Chairman of the Board Oct. 21</p>
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AFFIDAVIT OF PUBLICATION

THE STATE OF TEXAS

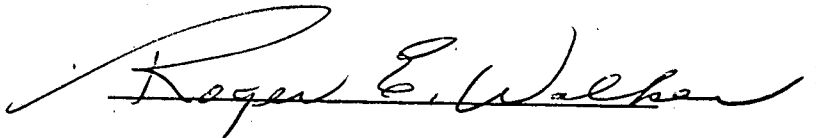
COUNTY OF RUSK

BEFORE ME, the undersigned authority, on this day personally appeared Roger E. Walker known to me, who being first duly sworn, deposed and upon his oath said:

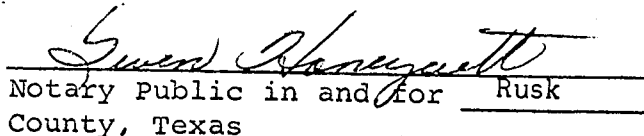
1. That he is the Publisher of "Henderson Daily News", a newspaper which has been regularly and continuously published in the City of Henderson, Texas, for a period of more than one year prior to the date of the attached printed Notice; that as such officer or employee of said newspaper, he caused said Notice to be published in said newspaper on the 21st day of October, 1966.

2. That the publication made is a true and correct copy of said Notice, a printed copy of which is attached hereto.

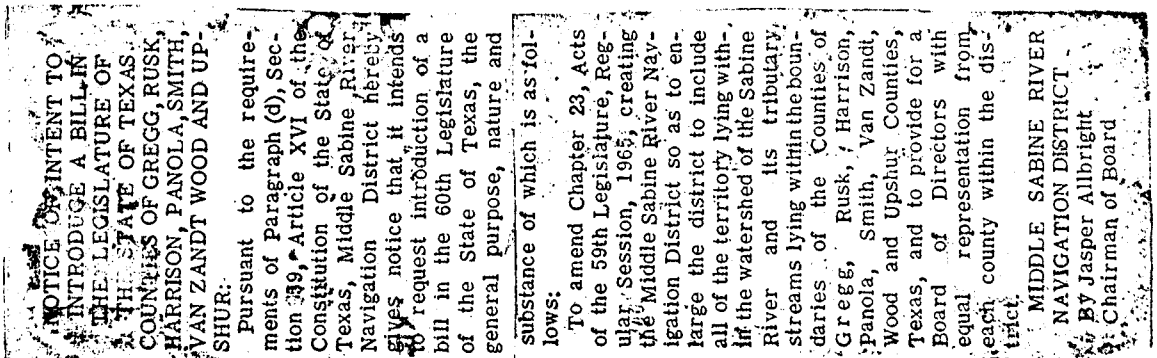
EXECUTED this the 24th day of October, 1966.



SUBSCRIBED AND SWORN TO BEFORE ME this the 24th day of October, 1966.


Notary Public in and for Rusk
County, Texas

(SEAL)



AFFIDAVIT OF PUBLICATION

THE STATE OF TEXAS

COUNTY OF Upshur

BEFORE ME, the undersigned authority, on this day personally appeared Ray H. Greene known to me, who being first duly sworn, deposed and upon his oath said:

1. That he is the Publisher of "The Gilmer Mirror",

a newspaper which has been regularly and continuously published in the City of Gilmer, Texas, for a period of more than one year prior to the date of the attached printed Notice; that as such officer or employee of said newspaper, he caused said Notice to be published in said newspaper on the 27th day of October, 1966.

2. That the publication made is a true and correct copy of said Notice, a printed copy of which is attached hereto.

{ EXECUTED this the 26th day of October, 1966.

Ray H. Greene

SUBSCRIBED AND SWORN TO BEFORE ME this the 22nd day of November, 1966.

Betty L. Jones
Betty L. Jones

Notary Public in and for Upshur County, Texas

(SEAL)

PUBLIC NOTICES—	NOTICE OF INTENT TO INTRODUCE A BILL IN THE LEGISLATURE OF THE STATE OF TEXAS COUNTIES OF GREGG, RUSK, HARRISON, PANOLA, SMITH, VAN ZANDT, WOOD AND UP- SHUR: Pursuant to the requirements of Paragraph (d), Section 59, Article XVI of the Constitution of the State of Texas, Middle Sabine River Navigation District hereby gives notice that it intends to request introduction of a bill in the 60th Legislature of the State of Texas, the general purpose, nature and substance of which is as follows: To amend Chapter 23, Acts of the 59th Legislature, Regular Session, 1965, creating the Middle Sabine River Navigation District so as to enlarge the district to include all of the territory lying within the watershed of the Sabine River and its tributary streams lying within the boundaries of the Counties of Gregg, Rusk, Harrison, Panola, Smith, Van Zandt, Wood and Upshur Counties, Texas, and to provide for a Board of Directors with equal representation from each county within the district. MIDDLE SABINE RIVER NAVIGATION DISTRICT By Jasper Allbright, Chairman of the Board
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AFFIDAVIT OF PUBLICATION

THE STATE OF TEXAS

COUNTY OF

BEFORE ME, the undersigned authority, on this day personally appeared Tom J. Martin known to me, who being first duly sworn, deposed and upon his oath said:

1. That he is the Classified Adv. Mgr. of "Tyler Morning Telegraph & Courier-Times", a newspaper which has been regularly and continuously published in the City of Tyler, Texas, for a period of more than one year prior to the date of the attached printed Notice; that as such officer or employee of said newspaper, he caused said Notice to be published in said newspaper on the 21 day of October, 1966.

2. That the publication made is a true and correct copy of said Notice, a printed copy of which is attached hereto.

EXECUTED this the 31 day of October, 1966.

Tom J. Martin
Tom J. Martin

SUBSCRIBED AND SWORN TO BEFORE ME this the 31 day of October, 1966.

Mrs. J. R. Long
Notary Public in and for Smith County, Texas
Mrs. J. R. Long

(SEAL)

NOTICE OF INTENT TO INTRODUCE A BILL IN THE LEGISLATURE OF THE STATE OF TEXAS
COUNTIES OF GREGG, RUSK, HARRISON, PANOLA, SMITH, VAN ZANDT, WOOD AND UPSHUR:
Pursuant to the requirements of Paragraph (d), Section 59, Article XVI of the Constitution of the State of Texas, Middle Sabine River Navigation District hereby gives notice that it intends to request introduction of a bill in the 60th Legislature of the State of Texas, the general purpose, nature and substance of which is as follows:
To amend Chapter 23, Acts of the 59th Legislature, Regular Session, 1965, creating the Middle Sabine River Navigation District so as to enlarge the district to include all of the territory lying within the watershed of the Sabine River and its tributary streams lying within the boundaries of the Counties of Gregg, Rusk, Harrison, Panola, Smith, Van Zandt, Wood and Upshur Counties, Texas, and to provide for a Board of Directors with equal representation from each county within the district.
MIDDLE SABINE RIVER NAVIGATION DISTRICT
By JASPER ALLERIGHT
Chairman of the Board

AFFIDAVIT OF PUBLICATION

THE STATE OF TEXAS

COUNTY OF

BEFORE ME, the undersigned authority, on this day personally appeared Newton Bryson known to me, who being first duly sworn, deposed and upon his oath said:

1. That he is the Publisher of "Wood County Democrat",

a newspaper which has been regularly and continuously published in the City of Quitman, Texas, for a period of more than one year prior to the date of the attached printed Notice; that as such officer or employee of said newspaper, he caused said Notice to be published in said newspaper on the 27th day of October, 1966.

2. That the publication made is a true and correct copy of said Notice, a printed copy of which is attached hereto.

EXECUTED this the 28th day of October, 1966.

Newton Bryson

SUBSCRIBED AND SWORN TO BEFORE ME this the 8th day of November, 1966.

Jasper Roberts
Notary Public in and for Wood
County, Texas

(SEAL)

NOTICE OF INTENT TO INTRODUCE A BILL IN THE LEGISLATURE OF THE STATE OF TEXAS

COUNTIES OF GREGG, RUSK, HARRISON, PANOLA, SMITH, VAN ZANDT, WOOD AND UPSHUR:

Pursuant to the requirements of Paragraph (d), Section 59, Article XVI of the Constitution of the State of Texas, Middle Sabine River Navigation District hereby gives notice that it intends to request introduction of a bill in the 60th Legislature of the State of Texas, the general purpose, nature and substance of which is as follows:

To amend Chapter 23, Acts of the 59th Legislature, Regular Session, 1965, creating the Middle Sabine River Navigation District so as to enlarge the district to include all of the territory lying within the watershed of the Sabine River and its tributary streams lying within the boundaries of the Counties of Gregg, Rusk, Harrison, Panola, Smith, Van Zandt, Wood and Upshur Counties, Texas, and to provide for a Board of Directors with equal representation from each county within the district.

MIDDLE SABINE RIVER NAVIGATION DISTRICT
By Jasper Allbright
Chairman of the Board
43-ltc.

AFFIDAVIT OF PUBLICATION

THE STATE OF TEXAS

COUNTY OF Van Zandt

BEFORE ME, the undersigned authority, on this day personally appeared Thomas E. Campbell known to me, who being first duly sworn, deposed and upon his oath said:

1. That he is the Publisher of "Wills Point Chronicle", a newspaper which has been regularly and continuously published in the City of Wills Point, Texas, for a period of more than one year prior to the date of the attached printed Notice; that as such officer or employee of said newspaper, he caused said Notice to be published in said newspaper on the 28th day of October, 1966.

2. That the publication made is a true and correct copy of said Notice, a printed copy of which is attached hereto.

EXECUTED this the 5th day of November, 1966.

Thomas E. Campbell

SUBSCRIBED AND SWORN TO BEFORE ME this the 5th day of November, 1966.

Arthur E. Ames

Notary Public in and for Van Zandt County, Texas

(SEAL)

NOTICE OF INTENT TO INTRODUCE A BILL IN THE LEGISLATURE OF THE STATE OF TEXAS
COUNTIES OF GREGG, RUSK, HARRISON, PANOLA, SMITH, VAN ZANDT, WOOD AND UP-SHUR:

Pursuant to the requirements of Paragraph (d), Section 59, Article XVI of the Constitution of the State of Texas, Middle Sabine River Navigation District hereby gives notice that it intends to request introduction of a bill in the 60th Legislature of the State of Texas, the general purpose, nature and substance of which is as follows:
To amend Chapter 23, Acts of the 59th Legislature, Regular Session, 1965, creating the Middle Sabine River Navigation District so as to enlarge the district to include all of the territory lying within the watershed of the Sabine River and its tributary streams lying within the boundaries of the Counties of Gregg, Rusk, Harrison, Panola, Smith, Van Zandt, Wood and Upshur Counties, Texas, and to provide for a Board of Directors with equal representation from each county within the district.
MIDDLE SABINE RIVER NAVIGATION DISTRICT
by JASPER ALLBRIGHT,
Chairman of the Board

AFFIDAVIT OF PUBLICATION

THE STATE OF TEXAS

COUNTY OF _____

BEFORE ME, the undersigned authority, on this day personally appeared Chas. K. Devall known to me, who being first duly sworn, deposed and upon his oath said:

1. That he is the Publisher of "Kilgore News Herald", a newspaper which has been regularly and continuously published in the City of Kilgore, Texas, for a period of more than one year prior to the date of the attached printed Notice; that as such officer or employee of said newspaper, he caused said Notice to be published in said newspaper on the 20th day of October, 1966.

2. That the publication made is a true and correct copy of said Notice, a printed copy of which is attached hereto.

EXECUTED this the 24th day of October, 1966.

Chas. K. Devall

SUBSCRIBED AND SWORN TO BEFORE ME this the 24th day of October, 1966.

J. P. Jones

J. P. Jones

Notary Public in and for Gregg County, Texas

(SEAL)

NOTICE OF INTENT TO INTRODUCE A BILL IN THE LEGISLATURE OF THE STATE OF TEXAS, COUNTIES OF GREGG, RUSK, HARRISON, PANOLA, SMITH, VAN ZANDT, WOOD AND UPSHUR:

Pursuant to the requirements of Paragraph (d), Section 59, Article XVI of the Constitution of the State of Texas, Middle Sabine River Navigation District hereby gives notice that it intends to request introduction of a bill in the 60th Legislature of the State of Texas, the general purpose, nature and substance of which is as follows:

To amend Chapter 23, Acts of the 58th Legislature, Regular Session, 1965, creating the Middle Sabine River Navigation District so as to enlarge the district to include all of the territory lying within the watershed of the Sabine River and its tributary streams lying within the boundaries of the Counties of Gregg, Rusk, Harrison, Panola, Smith, Van Zandt, Wood and Upshur Counties, Texas, and to provide for a Board of Directors with equal representation from each county, within the district.

MIDDLE SABINE RIVER
NAVIGATION DISTRICT
By: James Albright

AFFIDAVIT OF PUBLICATION

THE STATE OF TEXAS

COUNTY OF

BEFORE ME, the undersigned authority, on this day personally appeared Neal Clark known to me, who being first duly sworn, deposed and upon his oath said:

1. That he is, the Managing Editor of "The Gladewater Daily Mirror", a newspaper which has been regularly and continuously published in the City of Gladewater, Texas, for a period of more than one year prior to the date of the attached printed Notice; that as such officer or employee of said newspaper, he caused said Notice to be published in said newspaper on the 21 day of October, 1966.

2. That the publication made is a true and correct copy of said Notice, a printed copy of which is attached hereto.

EXECUTED this the 26 day of October, 1966.

Neal Clark

SUBSCRIBED AND SWORN TO BEFORE ME this the 26 day of October, 1966.

Virginia Bates

Notary Public in and for GREGG County, Texas

(SEAL)

LEGAL NOTICE

(Published in the Gladewater
Daily Mirror Oct. 21, 1966)

NOTICE OF INTENT TO IN-
TRODUCE A BILL IN THE
LEGISLATURE OF THE STATE
OF TEXAS

COUNTIES OF GREGG,
RUSK, HARRISON-PANOLA,
SMITH, VAN ZANDT, WOOD
AND UPSHUR:

Pursuant to the require-
ments of Paragraph (d), Sec-
tion 59, Article XVI of the
Constitution of the State of Tex-
as, Middle Sabine River Nav-
igation District hereby gives
notice that it intends to request
introduction of a bill in the
60th Legislature of the State
of Texas, the general purpose,
nature and substance of which
is as follows:

To amend Chapter 23, Acts
of the 59th Legislature, Regu-
lar Session, 1965, creating the
Middle Sabine River Navigation
District so as to enlarge the
district to include all of the
territory lying within the wa-
tershed of the Sabine River and
its tributary streams lying
within the boundaries of the
Counties of Gregg, Rusk, Har-
rison, Panola, Smith, Van
Zandt, Wood and Upshur Coun-
ties, Texas, and to provide for
a Board of Directors with equal
representation from each coun-
ty within the district.

Middle Sabine River Navi-
gation District, By Jasper Al-
bright, Chairman of the Board.

AFFIDAVIT OF PUBLICATION

THE STATE OF TEXAS

COUNTY OF

BEFORE ME, the undersigned authority, on this day personally appeared Ellie Hopkins known to me, who being first duly sworn, deposed and upon his oath said:

1. That he is the President of "The Longview Daily News Co., Inc.", a newspaper which has been regularly and continuously published in the City of Longview, Texas, for a period of more than one year prior to the date of the attached printed Notice; that as such officer or employee of said newspaper, he caused said Notice to be published in said newspaper on the 20th day of October, 1966.

2. That the publication made is a true and correct copy of said Notice, a printed copy of which is attached hereto.

EXECUTED this the 21st day of October, 1966.

Ellie Hopkins

SUBSCRIBED AND SWORN TO BEFORE ME this the 21st day of October, 1966.

NOTICE OF INTENT TO INTRODUCE
A BILL IN THE LEGISLATURE OF
THE STATE OF TEXAS
Counties of Gregg, Rusk, Harrison,
Panoia, Smith, Van Zandt, Wood and
Upshur:
Pursuant to the requirements of
Paragraph (d), Section 59, Article XVI
of the Constitution of the State of
Texas, Middle Sabine River Naviga-
tion District hereby gives notice that
it intends to request introduction of a
bill in the 60th Legislature of the
State of Texas, the general purpose,
nature and substance of which is as
follows:
To amend Chapter 23, Acts of the
60th Legislature, Regular Session, 1965,
creating the Middle Sabine River Navi-
gation District so as to enlarge the
district to include all of the territory
lying within the watershed of the Sa-
bine River and its tributary streams
lying within the boundaries of the
Counties of Gregg, Rusk, Harrison,
Panoia, Smith, Van Zandt, Wood and
Upshur Counties, Texas, and to provide
for a Board of Directors with equal
representation from each county within
the district.
MIDDLE SABINE RIVER
NAVIGATION DISTRICT
By Jasper Albright
Chairman of the Board

(SEAL)

Elizabeth L.
Notary Public in and for Gregg
County, Texas

LETTER OF TRANSMITTAL
House of Representatives
of the State of Texas

TO: The Honorable John Connally
Governor of Texas

SUBJECT: A bill relating to a conservation and
reclamation district

Same as S.A.38

This is to transmit to you and the Texas Water Commission copies of House Bill No. 119, a bill relating to a conservation and reclamation district, and copies of the notice of intention to introduce the bill. One copy is for your files and one for you to forward to the Texas Water Commission, under Section 59(d), Article XVI, Constitution of the State of Texas.

Rec'd: 1-30-67

Laruby Hallman
Chief Clerk

TO: Texas Water Commission

SUBJECT: A bill relating to a conservation and
reclamation district

This is to forward to you a copy of House Bill No. 119, a bill relating to a conservation and reclamation district, and a copy of the notice of intention to introduce the bill.

John Connally
Governor

TO: The Honorable Ben Barnes
Speaker of the House

The Honorable Preston Smith
President of the Senate

The Honorable John Connally
Governor of Texas

SUBJECT: A bill relating to a conservation and
reclamation district

Attached are the recommendations of the Texas Water Commission on House Bill No. 119, in compliance with Section 59(d), Article XVI, Constitution of the State of Texas.

Joe D. Carter
Chairman

Otha F. Dent
Commissioner

William E. Berger
Commissioner

TEXAS WATER RIGHTS COMMISSION



**RE: H. B. 119 - MIDDLE SABINE RIVER
NAVIGATION DISTRICT**

**RECOMMENDATIONS OF THE TEXAS WATER
RIGHTS COMMISSION PURSUANT TO ARTICLE
16, SECTION 59(4), TEXAS CONSTITUTION,
CONCERNING A PROPOSED BILL TO AMEND
THE ACT CREATING REFERENCED DISTRICT.**

House Bill 119 was received, together with evidence of publication, from the Governor of Texas, on January 31, 1967. The Bill proposes to amend Acts 59th Leg., 1965, Sections 2 and 4, ch. 23, p. 63, which created the Middle Sabine River Navigation District comprising the territory within the watershed of the Sabine River included in Rusk, Gregg, Harrison and Pamela Counties, Texas. Following review and consideration of the proposed bill, the Texas Water Rights Commission respectfully recommends that consideration be given to the following:

1. House Bill 119 will enlarge the territory of Middle Sabine River Navigation District, together with corresponding local representation of the District's Board of Directors, to include all of the watershed of the Sabine River above the Texas-Louisiana State line below Hunt County, Texas. Specifically included by the proposed amendment is the territory within the watershed of the Sabine River in Texas included in Smith, Upshur, Van Hout and Wood Counties, Texas. As enlarged, the navigation district would include approximately one-third of the area within Lake Texoma.
2. Notice of the Bill was published in 12 local newspapers throughout the affected area. Notices published on October 20 and 21, 1966, exceed the 90-day requirement contained in the Constitutional amendment.
3. Since there exists in the general area, in addition to Middle Sabine River Navigation District, the Deep East Texas Interbasin Navigation District, the Newton County Navigation District, the Orange County Navigation-Port District and the Sabine River Authority, it appears desirable to enlarge Middle Sabine River Navigation District to prevent further fragmentation of navigation jurisdiction and responsibility.

Approved and adopted by the Texas Water Rights Commission
on February 7, 1967. The Secretary is directed to submit copies
of this recommendation to the Governor, the Lieutenant Governor
and the Speaker of the House.

/s/ Joe D. Carter

Joe D. Carter, Chairman
TEXAS WATER RIGHTS COMMISSION

ATTEST:

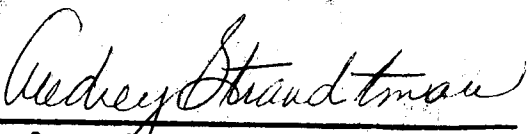
/s/ Audrey Strandtman

Audrey Strandtman, Secretary

STATE OF TEXAS X
 X
COUNTY OF TRAVIS X

I, Audrey Strandtman, Secretary of the Texas Water Rights Commission, do hereby certify that the foregoing and attached is a true and correct copy of an order of said Commission, the original of which is filed in the permanent records of said Commission.

Given under my hand and the seal of the Texas Water Rights Commission, this the 7th day of February, A.D. 1967.



Audrey Strandtman, Secretary

Austin, Texas

February 13, 1967

Hon. Preston Smith
President of the Senate

Sir:

We, your Committee on Water and Conservation,
to which was referred Senate B. No. 38, have had the same
under consideration, and I am instructed to report it back to
the Senate with the recommendation that it do _____
pass _____ and be _____ printed.

George Parkhouse
Chairman

CAS

By: Strong

S. B. No. 38

A BILL TO BE ENTITLED:

AN ACT

amending Sections 2 and 4 of Chapter 23, Acts of the
59th Legislature, Regular Session, which created the
Middle Sabine River Navigation District, by adding territory thereto;
appointing and providing residence requirements of the
Board of Directors of such District; and declaring an emergency. _____
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Section 2 of Chapter 23, Acts of the
59th Legislature, Regular Session, is hereby amended so as to
hereafter read as follows: _____

"Section 2. The Middle Sabine River Navigation District shall
include all of the territory lying within the watershed of the
Sabine River and its tributary streams lying within the boundaries
of the Counties of Gregg, Rusk, Harrison, Panola, Smith, Upshur,
Van Zandt and Wood, as the same is made certain by the state contour
maps now on file in the office of the Texas Water Rights Commission,
to which maps and records reference is here made, and it is hereby
found and determined that all of the land included in the District
shall be benefited by the exercise of the powers conferred by this
Act. It is recognized that this boundary overlaps, in part, an area
included within the Sabine River Authority of Texas as created by
Chapter 110, page 193, Acts of the 51st Legislature, 1949, and
nothing herein is intended to alter in any manner the rights,
duties, privileges, powers and immunities of that agency." _____

Sec. 2. Section 4 of said Chapter 23, Acts of the 59th Legislature, Regular Session, is hereby amended so as to hereafter read as follows:_____

"Section 4. (a) All powers of the District shall be exercised by a Board of Directors (hereinafter called 'Board'), each of whom shall serve for a period of two (2) years except for the directors hereinafter initially appointed. The Board shall consist of sixteen members, two of whom shall be from Gregg County, two from Rusk County, two from Harrison County, two from Panola County, two from Smith County, two from Upshur County, two from Van Zandt County and two from Wood County._____

"(b) The initial Board shall consist of the following persons who shall serve until the dates indicated after their names:_____

<u>Gregg County</u>	<u>Term Expiration</u>
Jasper L. Allbright	January 1, 1969
A. G. Morton, Jr.	January 1, 1968
<u>Harrison County</u>	
William L. Gaw	January 1, 1969
Don Harper	January 1, 1968
<u>Panola County</u>	
W. C. Applegate	January 1, 1968
Tom Bankhead	January 1, 1969
<u>Rusk County</u>	
Homer Bryce	January 1, 1969
W. A. Preston	January 1, 1968
<u>Smith County</u>	
George Pirtle	January 1, 1969
F. Lee Lawrence	January 1, 1968

Upshur CountyTerm Expiration

M. V. Gorman, Jr.
John W. Prothro

January 1, 1969
January 1, 1968

Van Zandt County

E. B. Germany
Floyd B. Pitts

January 1, 1969
January 1, 1968

Wood County

Charles L. Still
A. O. Mallory

January 1, 1968
January 1, 1969

If any of the aforementioned persons shall die, become incapacitated or otherwise not be qualified to assume their duties under this Act, the Commissioners Court of the county of residence of such person shall designate and appoint his successor who shall serve until his successor shall have been appointed and qualified for office. _____

"Within not less than ten or more than thirty days prior to the expiration of the term of office of each Director, the Commissioners Court of the county in which such Director whose term is expiring resides shall designate a successor, and each successor so appointed shall serve for a term of two years. All Directors shall hold office until their successors have been designated and have qualified as required by law. Before entering upon the duties of his office, each Director shall: _____

"(a) Take the constitutional oath of office and the same shall be filed in writing with the Secretary of the Board; and

"(b) Enter into a good and sufficient bond executed by a surety company authorized to do business in Texas as surety thereon in the sum of One Thousand Dollars (\$1,000), payable to the District, conditioned upon the faithful performance of his duties as Director. The cost of entering into said bond shall be paid by the District. The bonds of the first Board of Directors shall be _____

approved by the County Judge of the county of residence of each of the initial Directors and the bonds of all Directors thereafter elected or appointed shall be approved by the Board of Directors.

"Vacancies occurring on the Board from any county shall be filled by appointment by the Commissioners Court of the county of residence of the member whose place on the Board shall have been vacated for any cause. Any person over the age of twenty-one years residing within the District and within the county from which he is appointed and possessing the qualifications of a juror shall be eligible for appointment and to serve as a Director."

Sec. 3. It is hereby found that notice of intention to introduce this bill has been published at least thirty (30) days and not more than ninety (90) days prior to its introduction in newspapers having general circulation in counties in which said District is situated and in the manner provided by Article XVI, Section 59(d) of the Constitution, that a copy of said notice and of this bill as introduced were delivered to the Governor, and the time, form and manner of giving said notice is hereby approved and ratified. The evidence of the foregoing was exhibited in the Legislature before the passage of this Act.

Sec. 4. The fact that enlargement of the District is needed to permit the District to better fulfill its powers and duties creates an emergency and an imperative public necessity requiring that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said Rule is hereby suspended; and this Act shall take effect and be in force from and after its passage, and it is so enacted.

FORM A

(For favorable and unfavorable reports on bills and resolutions,
where no committee amendments are recommended.)

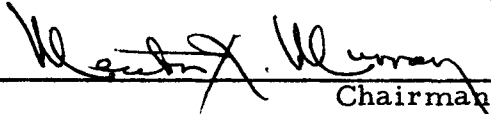
COMMITTEE REPORT

Date Feb. 28, 1967 ;

HON. BEN BARNES,
Speaker of the House of Representatives.

SIR:

We, your Committee on CONSERVATION & RECLAMATION to whom was
referred S. B. No. 38, have had the same under
consideration and beg to report back with recommendation that it ~~(do not)~~ ^(do)
pass.



Chairman.

AN ACT

amending Sections 2 and 4 of Chapter 23, Acts of the 59th Legislature, Regular Session, which created the Middle Sabine River Navigation District, by adding territory thereto; appointing and providing residence requirements of the Board of Directors of such District; and declaring an emergency.
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Section 2 of Chapter 23, Acts of the 59th Legislature, Regular Session, is hereby amended so as to hereafter read as follows:

"Section 2. The Middle Sabine River Navigation District shall include all of the territory lying within the watershed of the Sabine River and its tributary streams lying within the boundaries of the Counties of Gregg, Rusk, Harrison, Panola, Smith, Upshur, Van Zandt and Wood, as the same is made certain by the state contour maps now on file in the office of the Texas Water Rights Commission, to which maps and records reference is here made, and it is hereby found and determined that all of the land included in the District shall be benefited by the exercise of the powers conferred by this Act. It is recognized that this boundary overlaps, in part, an area included within the Sabine River Authority of Texas as created by Chapter 110, page 193, Acts of the 51st Legislature, 1949, and nothing herein is intended to alter in any manner the rights, duties, privileges, powers and immunities of that agency."

Sec. 2. Section 4 of said Chapter 23, Acts of the 59th Legislature, Regular Session, is hereby amended so as to hereafter read as follows:

"Section 4. (a) All powers of the District shall be exercised by a Board of Directors (hereinafter called 'Board'), each of whom shall serve for a period of two (2) years except for the directors hereinafter initially appointed. The Board shall consist of sixteen members, two of whom shall be from Gregg County, two from Rusk County, two from Harrison County, two from Panola County, two from Smith County, two from Upshur County, two from Van Zandt County and two from Wood County.

"(b) The initial Board shall consist of the following persons who shall serve until the dates indicated after their names:

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Panola County	
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Tom Bankhead	January 1, 1969
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Homer Bryce	January 1, 1969
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Smith County	
George Pirtle	January 1, 1969
F. Lee Lawrence	January 1, 1968

Upshur County	Term Expiration
M. V. Gorman, Jr.	January 1, 1969
John W. Prothro	January 1, 1968
Van Zandt County	
E. B. Germany	January 1, 1969
Floyd B. Pitts	January 1, 1968
Wood County	
Charles L. Still	January 1, 1968
A. O. Mallory	January 1, 1969

If any of the aforementioned persons shall die, become incapacitated or otherwise not be qualified to assume their duties under this Act, the Commissioners Court of the county of residence of such person shall designate and appoint his successor who shall serve until his successor shall have been appointed and qualified for office.

"Within not less than ten or more than thirty days prior to the expiration of the term of office of each Director, the Commissioners Court of the county in which such Director whose term is expiring resides shall designate a successor, and each successor so appointed shall serve for a term of two years. All Directors shall hold office until their successors have been designated and have qualified as required by law. Before entering upon the duties of his office, each Director shall:

"(a) Take the constitutional oath of office and the same shall be filed in writing with the Secretary of the Board; and

"(b) Enter into a good and sufficient bond executed by a surety company authorized to do business in Texas as surety thereon in the sum of One Thousand Dollars (\$1,000), payable to the District, conditioned upon the faithful performance of his duties as Director. The cost of entering into said bond shall be paid by the District. The bonds of the first Board of Directors shall be

approved by the County Judge of the county of residence of each of the initial Directors and the bonds of all Directors thereafter elected or appointed shall be approved by the Board of Directors.

"Vacancies occurring on the Board from any county shall be filled by appointment by the Commissioners Court of the county of residence of the member whose place on the Board shall have been vacated for any cause. Any person over the age of twenty-one years residing within the District and within the county from which he is appointed and possessing the qualifications of a juror shall be eligible for appointment and to serve as a Director."

Sec. 3. It is hereby found that notice of intention to introduce this bill has been published at least thirty (30) days and not more than ninety (90) days prior to its introduction in newspapers having general circulation in counties in which said District is situated and in the manner provided by Article XVI, Section 59(d) of the Constitution, that a copy of said notice and of this bill as introduced were delivered to the Governor, and the time, form and manner of giving said notice is hereby approved and ratified. The evidence of the foregoing was exhibited in the Legislature before the passage of this Act.

Sec. 4. The fact that enlargement of the District is needed to permit the District to better fulfill its powers and duties creates an emergency and an imperative public necessity requiring that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said Rule is hereby suspended; and this Act shall take effect and be in force from and after its passage, and it is so enacted.

S. B. No. 38

Lieutenant Governor
President of the Senate

Speaker of the House

I hereby certify that S. B. No. 38 passed the Senate on
February 16, 1967, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S. B. No. 38 passed the House on
March 8, 1967, by the following vote: Yeas 140, Nays 0.

Chief Clerk of the House

Approved:

3-20-67
Date

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
10:05am O'CLOCK

MAR 20 1967

John Connally
Governor

John L. Hill
Secretary of State

A BILL
TO BE ENTITLED

AN ACT AMENDING SECTIONS 2 AND 4 OF CHAPTER 23, ACTS OF THE ~~FIFTY-NINTH~~ ^{54th} LEGISLATURE, REGULAR SESSION, WHICH CREATED THE MIDDLE SABINE RIVER NAVIGATION DISTRICT, BY ADDING TERRITORY THERETO; APPOINTING AND PROVIDING RESIDENCE REQUIREMENTS OF THE BOARD OF DIRECTORS OF SUCH DISTRICT; AND DECLARING AN EMERGENCY.

JAN 23 1967

Read first time
and referred to Committee
on Water and Conservation

FEB 13 1967

Reported Favorably.

FEB 13 1967

Ordered not printed by the Senate.

FEB 16 1967

Regular order of business and Senate Rule 116 and Sec. 5, Art. III of the Constitution suspended by vote of 31 yeas, 0 nays, to permit consideration.

FEB 16 1967

READ SECOND TIME
AND ORDERED ENGROSSED

FEB 16 1967

Senate Rule 32 and Constitutional Rule (Sec. 32, Art. III) suspended by a vote of 31 yeas, 0 nays, to place bill on third reading and final passage,

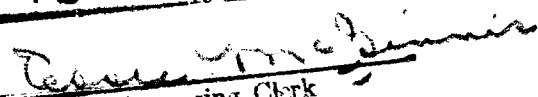
FEB 16 1967

**READ THIRD TIME AND PASSED
BY THE FOLLOWING VOTE:**

Yeas 31 Nays 0

Charles Schnabel
Secretary of the Senate

2-16- 1967 Engrossed


Engrossing Clerk

By: Strong

S. B. No. 38

48 119

A BILL TO BE ENTITLED:

AN ACT amending Sections 2 and 4 of Chapter 23, Acts of the 59th Legislature, Regular Session, which created the Middle Sabine River Navigation District, by adding territory thereto; appointing and providing residence requirements of the Board of Directors of such District; and declaring an emergency.

1-23-67 Read first time and referred to Committee on Water and Conservation.

2-13-67 Reported favorably.

2-13-67 Ordered not printed by the Senate.

2-16-67 Regular order of business and Senate Rule 116 and Sec. 5, Art. III of the Constitution suspended by vote of 31 Yeas, 0 Nays, to permit consideration.

2-16-67 Read second time and ordered engrossed.

2-16-67 Senate Rule 32 and Constitutional Rule (Sec. 32, Art. III) suspended by a vote of 31 Yeas, 0 Nays, to place bill on third reading and final passage.

2-16-67 Read third time and passed by the following vote:
Yeas 31, Nays 0.

Charles Schnabel, Secretary of the Senate

2-16-67 Engrossed.

Essie M. Ginnie
ENGROSSING CLERK

FEB 20 1967

SENT TO HOUSE

FEB 20 1967

Received from
the Senate.

Dorothy Hallman

Chief Clerk, House of Representatives

FEB 21 1967

READ 1st TIME
AND REFERRED TO COMMITTEE ON
Conservation & Reclamation

MAR 1 1967 REPORTED FAVORABLY

SENT TO PRINTER

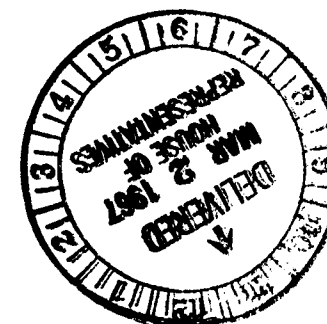
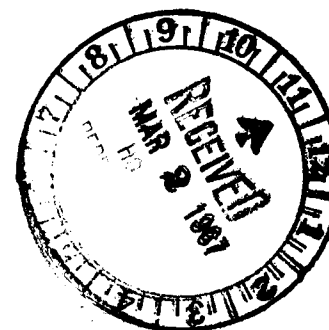
Dorothy Hallman

Chief Clerk, House of Representatives

MAR 8 1967

Constitutional
Rule requiring bills to be read on
three several days suspended by
A four-fifths vote.

Yeas 139 Nays 4



(Over)

PRINTED, DISTRIBUTED AND

REFERRED TO COMMITTEE ON

RULES 11:15 A.M.
(Time)

MAR 2 1967
(Date)

MAR 8 1967

Read third time

and Passed

by following vote: yeas 140

Nays 0

Dorothy Hallman
Ch of Clerk
HOUSE OF REPRESENTATIVES

MAR 8 1967

MOTION TO RECONSIDER THE VOTE BY
WHICH SB # 38 WAS
ADOPTED / PASSED AND TO TABLE THE MOTION TO RECON-
SIDER PREVAILED CALLED BY A Yea-Nay VOTE ☒

Dorothy Hallman
CHIEF CLERK HOUSE OF REPRESENTATIVES

MAR 8 1967 RETURNED TO SENATE

MAR 8 1967

RETURNED
FROM HOUSE